

Date Mailed
July 26, 2002

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of the Rainy River Energy Corporation-Wisconsin for
a Certificate of Public Convenience and Necessity to Construct and
Place in Operation a Large Natural Gas-Fired Electric Power
Generating Facility and Associated High Voltage Transmission Line
and Natural Gas Pipeline Interconnection Facilities to be Located in
the City of Superior, Douglas County

05-CE-128

**NOTICE OF PROCEEDING AND
INVESTIGATION AND VIDEOCONFERENCING HEARING**

Direct Testimony Due:	Wednesday, August 21, 2002 – Noon
Rebuttal Testimony Due:	Friday, August 30, 2002 – Noon
Videoconferencing Hearing Date:	Wednesday, September 4, 2002 – 1:30 p.m. and 6:30 p.m.
Hearing Locations:	Rothwell Student Center, Room 111, 1600 Catlin Avenue, Superior, WI Amnicon Falls Hearing Room – 1st Floor, Public Service Commission, 610 North Whitney Way, Madison, WI

THIS IS A PROCEEDING to consider the application of Rainy River Energy Corporation – Wisconsin (Rainy River) for authority to construct a large electric power generating facility and associated high-voltage electric transmission line and natural gas pipeline interconnection facilities. Rainy River is proposing to build the new natural gas-fueled, simple-cycle power plant with 170 megawatts (MW) of capacity in the city of Superior in Douglass County.

PROJECT LOCATION (see attached map)

Rainy River has proposed that the power plant be located on one of two sites in the city of Superior: the County Site or the Lakehead Site. The County Site is a 20-acre parcel located in the city of Superior, and is bordered by Douglas County land and the Nemadji Cemetery to the northeast, the Nemadji River to the southeast, East 18th Street (Grand Avenue) to the southwest, and 31st Avenue East to the northwest. The Lakehead Site is a 27-acre parcel located adjacent to East 11th Street to the northeast, is bordered by Enbridge Energy Partners (Lakehead Pipeline

Company) property to the southeast, the Dome Petroleum Natural Gas Liquids Refinery to the southwest, and is adjacent to Stinson Avenue to the northwest.

NOTICE IS GIVEN that the Commission will hold a hearing on Wednesday, September 4, 2002, at 1:30 p.m. and 6:30 p.m. This hearing will be held via videoconferencing and will be conducted from two sites. Persons in the area of the proposed project can attend at the Rothwell Student Center, Room 111, 1600 Catlin Avenue, Superior, Wisconsin. This building is accessible to people in wheelchairs. Parking for people with disabilities is available. Commission staff will participate from the second location, the Public Service Commission Building, 610 North Whitney Way, Madison, Wisconsin, in the Amnicon Falls Hearing Room. This building is accessible to people in wheelchairs through the Whitney Way first floor (lobby) entrance. Parking for people with disabilities is available on the south side of the building. Any person with a disability who needs additional accommodations at either hearing site should contact the docket coordinator listed below.

Any person desiring to become a party shall file a request pursuant to Wis. Stat. § 227.44(2m) and Wis. Admin. Code § PSC 2.32(3) no later than 14 days from the date of this notice. The request shall be addressed to Administrative Law Judge David C. Whitcomb, Public Service Commission of Wisconsin, P.O. Box 7854, Madison, Wisconsin 53707-7854.

This is a Class 1 proceeding as defined in Wis. Stat. § 227.01(3)(a).

This is a Type I action under Wis. Admin. Code § PSC 4.10 (1). An environmental impact statement (EIS) has been prepared as necessary under Wis. Stat. § 1.11. The final EIS will be offered into evidence at the hearing in accordance with Wis. Stat. § 1.11(2)(d) and Wis. Admin. Code § PSC 4.50(3). The final EIS should be available around August 5, 2002. To receive a free copy, contact Jim Lepinski at (608) 266-0478, or make a request by e-mail to Jim.Lepinski@psc.state.wi.us or by mail at Public Service Commission, P.O. Box 7854, Madison, WI 53707-7854. Those who have received a copy of the draft EIS will automatically receive a copy of the final EIS when it becomes available.

This hearing will also meet the requirements of the Department of Natural Resources (DNR) under Wis. Stat. § 1.11 and Wis. Admin. Code NR 150. Hearings on the various DNR permits needed to construct and operate this power plant may also be held. They will be noticed by DNR in the normal manner.

The Commission does not discriminate on the basis of disability in the provision of programs, services, or employment. Any person with a disability who needs accommodations to participate in this proceeding or who needs to obtain this document in a different format should contact the docket coordinator listed below.

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Questions regarding this matter may be directed to docket coordinator Jim Lepinski at (608) 266-0478.

Dated at Madison, Wisconsin, _____

By the Commission:

Lynda L. Dorr
Secretary to the Commission

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